

CODE OF VIRGINIA

Chapter 10.

LOCAL DISABILITY SERVICES BOARDS

§ 51.5-47. Local boards; appointment; membership and staff.

A. Every county and city shall establish, either singly or in combination with another political subdivision, a local disability services board by November 1, 1992, to provide input to state agencies on service needs and priorities of persons with physical and sensory disabilities, to provide information and resource referral to local governments regarding the Americans with Disabilities Act, and to provide such other assistance and advice to local governments as may be requested. Guidelines for the establishment of local disability services boards shall be developed by the Disability Services Council. As used in this chapter, the term "board" means a local disability services board. The board shall be responsible to the governing body or bodies of the county or city or combination thereof which established the board.

B. The local governing bodies of the jurisdictions participating in the board shall determine the number of members on the board and appoint the members. The membership of a board shall not exceed fifteen. Membership shall include at least one local official from each of the participating jurisdictions, two representatives of the business community, and consumers. Each board shall have no less than thirty percent representation by individuals or family members of individuals with physical, visual, or hearing disabilities.

C. Where a local board or commission for the physically and sensory disabled appointed by a local governing body is already in existence, the local governing body may designate such board or commission as the local disability services board. In order to be designated as the local disability services board, the existing board or commission shall meet the membership representation requirements designated in subsection B.

D. Staff support to the boards shall be provided by the Department of Rehabilitative Services with appropriate consultation from the Department for the Visually Handicapped and the Department for the Deaf and Hard-of-Hearing. Localities may provide supplemental staff support to the boards.

E. Localities shall not be mandated to fund any recommendations made by the local board.

§ 51.5-48. Duties and responsibilities of local disability services boards.

The boards shall:

1. Assess the local service needs and advise the appropriate state and local agencies serving persons with physical and sensory disabilities of their findings;

2. Develop and make available for public comment a report with a six-year projection of local service needs and priorities for persons with physical and sensory disabilities in accordance with state guidelines. The report and updates to the report shall be submitted to the Disability Services Council. The first report shall be submitted by June 1, 1993. The reports shall be reviewed by the Council and shall be distributed to the appropriate state agencies and incorporated into the agencies' programmatic and fiscal planning for services to persons with physical and sensory disabilities;

3. Obtain input from local public and private service providers and utilize such information in the development of the report;

4. Review and update the report biennially;

5. Serve as a catalyst for the development of public and private funding sources;

6. Develop requests to the rehabilitative services incentive fund when local funding for match is identified;

7. Administer the incentive funds, if received, through the designated fiscal agent in accordance with the approved expenditure plan; and

8. Exchange information with other local boards regarding services to persons with physical and sensory disabilities and best practices in the delivery of services.

§ 51.5-49. Disability Services Council; membership and responsibilities.

A. The Disability Services Council is hereby established. The Council shall consist of the Commissioner of the Department of Rehabilitative Services; the Commissioner of the Department for the Visually Handicapped; the Director of the Department for the Deaf and Hard-of-Hearing; the Superintendent of Public Instruction; and three consumer members representing physical and sensory disabilities and one representative of local government to be appointed by the Governor. Of the consumer members to be appointed in 1994, one shall be appointed for a three-year term and two shall be appointed for one- and two-year terms, respectively. The local government representative shall be appointed for a three-year term. Thereafter, all appointments of the consumer and local

government members shall be for terms of three years, except that appointments to fill vacancies shall be for the unexpired terms. The Governor shall appoint the chairman annually.

B. The Council's duties shall include the following:

1. Developing guidelines for local disability services boards to use in developing the local board reports. The Department of Rehabilitative Services shall distribute the guidelines to the boards;

2. Developing a grant allocation system which requires a local match and annual guidelines for the grant applications for the state rehabilitative services incentive fund. The local match may be either public or private funds, or a combination, but in-kind contributions shall not be considered in the local match unless specifically approved by the Council. The Department of Rehabilitative Services shall distribute the guidelines to the boards annually;

3. Providing a final review of the request proposals for awards from the state rehabilitative services incentive fund. Such review shall be for consistency with guidelines and to obtain information necessary for future guideline revisions; and

4. Consulting with other state agencies as appropriate.

§ 51.5-50. State rehabilitative services incentive fund; establishment and administration.

A. A state rehabilitative services incentive fund shall be established in and administered by the Department of Rehabilitative Services to meet programmatic and individual recipient needs not otherwise met through existing federal, state, or local programs, and to develop community programs to meet the needs of persons with physical and sensory disabilities. Local disability services boards electing to apply for a grant from the fund shall submit their grant proposal to the Department. The Department is authorized to make grants for programs and services for persons with physical and sensory disabilities to boards whose grant applications comply with the guidelines developed by the Disability Services Council.

B. The Department shall prepare a summary of request proposals for awarding the fund which shall be submitted to the Disability Services Council for its review. The availability of grants from the fund shall not be taken into consideration in, nor used to reduce, state or local appropriations or payments.

§ 51.5-51. Local rehabilitative services incentive fund; establishment and administration.

Local disability services boards may establish a local rehabilitative services incentive fund and may make expenditures from such fund to meet programmatic and individual recipient needs not otherwise met through existing federal, state, or local programs and to develop community programs to meet the needs of persons with physical and sensory disabilities. When such a fund is established, the local governing bodies of the jurisdictions participating in the board shall designate the fiscal agent for the administration of the fund. The availability of this local fund shall not be taken into consideration in, nor used to reduce, state or local appropriations or payments.

§ 51.5-52. Local interagency services teams.

In order to provide comprehensive services within a continuum of care, local agencies providing services to persons with physical and sensory disabilities may convene a local interagency services team to respond to the needs of individual consumers who require extensive coordination of services. Membership on the teams shall reflect the needs of the individual consumer and may include but shall not be limited to: representatives from the Department of Rehabilitative Services, the Department for the Visually Handicapped, the Department for the Deaf and Hard-of-Hearing, community services boards, and local social services departments, health departments, and school divisions. When established, interagency services teams shall be responsible for conducting an assessment process across agencies to identify the strengths and needs of individual consumers, developing a rehabilitation plan, and integrating the array of required services. Interagency services teams shall report to the consumer's assigned case manager or counselor, as appropriate.